

## COUNCIL WORK SESSION JUNE 1, 2009

### CALL TO ORDER

The June 1, 2009, "Pre-Meeting" Work Session was convened at 5:45 P.M. by Mayor John Landwehr.

### ATTENDANCE

The following Council Members were present at the time the meeting convened:

Present: \*Carroll (arrived at 5:51 P.M.), Ferguson, Harvey, Koon, Medin, Penfold, Pope, and Scrivner

Absent: Klindt and Struempf

A quorum was present.

### DISCUSSION OF AGENDA ITEMS

#### Bills:

**2009-27 and 2009-29:** Councilman Jim Penfold stated that typographical errors in these bills need to be corrected.

**2009-38 and 2009-39:** Mayor John Landwehr stated that he understands from Mr. Nickolaus that suspending the rules on these two bill apparently is no longer necessary. Councilman Jim Penfold stated he will not be requesting suspension of the rules tonight.

The meeting adjourned at 6:00 P.M.

## REGULAR COUNCIL MEETING JUNE 1, 2009

### CALL TO ORDER

The Regular Council Meeting of June 1, 2009, was convened at 6:00 P.M. by Mayor John Landwehr.

### ROLL CALL

The following Council Members were present for the roll call:

Present: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, and Scrivner

Absent: Klindt and Struempf

A quorum was declared present.

### MINUTES AND REPORTS RECEIVED AND FILED

Mayor John Landwehr stated the following minutes have been received and are on file for review in the City Clerk's office:

- a. Transportation & Traffic Commission, March 11, 2009
- b. Parks & Recreation Commission, April 14, 2009
- c. Planning & Zoning Commission, April 9, 2009
- d. Housing Authority Board of Commissioners, April 21, 2009
- e. CAMPO Board of Directors, April 15 and May 4, 2009
- f. Finance Committee, April 17, 2009
- g. Finance Report, April 2009

Mayor Landwehr thanked the volunteers who serve on these Boards and Commissions for their vital contribution to our community.

### COUNCIL LIAISON REPORTS

**Administration Committee** - Councilwoman Carrie Carroll announced the next meeting will be held on June 8, and stated it will be held in a different location than usual.

**Public Safety Committee** - Councilman Mike Harvey stated the Committee met on May 29

## REGULAR COUNCIL MEETING JUNE 1, 2009

immediately following the Brown Bag work session.

**Public Works & Planning Committee** - Councilman Jim Penfold reported that the next meeting will be held on Thursday, June 18 at 7:30 A.M.

**Finance Committee** - Councilman Rich Koon reported the next meeting will be held on Friday, June 12 immediately following the Brown Bag Work Session.

### **Ad Hoc Committees, if any:**

No ad hoc committee reports were given at this time.

## ANNOUNCEMENTS OF OTHER UPCOMING MEETINGS AND EVENTS

Charlie Lansford made an announcement regarding the annual Tire and E-Waste Collection event which will occur on Saturday, June 6, at the Cole County Public Works facility located at 5055 Monticello Road. A fee will be required to drop off materials.

Pat Sullivan announced that a Council Work Session will be held on Monday, June 8 at 5:30 P.M. to discuss Transit issues.

Fire Chief Robert Rennick made an announcement about the annual Fire Training School which will begin this week. He stated that the Fire School needs to find a new place to meet after this year's session ends and that the City would like to keep it in Jefferson City if at all possible.

Mayor John Landwehr announced that the Council would like to take up a proclamation presentation at this time in honor of "National Garden Week" since there were guests present for that issue. Following a brief introduction and comments by Ms. Jean Schwaller and Jeanine Brickey of the Capital Garden Club, Mayor Landwehr read and presented a proclamation honoring National Garden Week.

## APPOINTMENTS BY THE MAYOR

The following appointments were recommended for Council approval by Mayor John Landwehr:

(a) City Council Liaison Appointments:

**Parks and Recreation Liaison:** Councilman Bob Scrivner

A motion was made by Councilman Jim Penfold for approval of the appointment as recommended, seconded by Councilman Rich Koon, and approved unanimously.

## REGULAR COUNCIL MEETING JUNE 1, 2009

### PRESENTATIONS FROM THE GALLERY ON SPECIFIC BILLS & RESOLUTIONS

**Mr. Dale Siebeneck**, Evers and Company, made a presentation regarding his company's 2008 audit of the City.

### CONSENT AGENDA

The following items were presented to the Council for their approval by Consent:

Minutes of May 15, May 16, and May 18, 2009 City Council Meetings

A motion was made by Councilman Mike Harvey for approval of the Consent Agenda as presented, seconded by Councilman Rich Koon, and approved unanimously.

### BIDS OVER \$25,000

Bid 2445 - Midi Excavator - Wastewater Division (submitted to Council 5-22)

A motion was made by Councilman Mike Harvey for approval of the bid as presented, seconded by Councilman Jim Penfold, and approved unanimously.

### BILLS INTRODUCED

**Bill 2009-19**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH MTS CONTRACTING, INC., FOR THE JEFFERSON STREET PARKING GARAGE REHABILITATION PROJECT.

**Bill 2009-20**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE 2008-2009 BUDGET OF THE CITY OF JEFFERSON, MISSOURI BY APPROPRIATING ADDITIONAL FUNDS WITHIN THE GENERAL FUND FOR PARKING GARAGE REPAIRS AND SIGNAGE.

**Bill 2009-21**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE

## REGULAR COUNCIL MEETING JUNE 1, 2009

MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH CDM, A/K/A CAMP DRESSER & MCKEE, FOR DESIGN, BIDDING ASSISTANCE AND CONSTRUCTION ENGINEERING SERVICES OF A DISINFECTION SYSTEM AT THE REGIONAL WATER RECLAMATION FACILITY.

**Bill 2009-22**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE 2008-2009 BUDGET OF THE CITY OF JEFFERSON, MISSOURI BY APPROPRIATING ADDITIONAL FUNDS WITHIN THE WASTEWATER FUND.

**Bill 2009-23**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING CHAPTER 29, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO SERVICE CHARGES.

Bill 2009-24 was withdrawn before the packet was published and distributed due to incomplete information.

**Bill 2009-25**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, VACATING AND DISCONTINUING AN UNNAMED ALLEY BETWEEN SUBDIVIDED INLOTS 516 AND 517, AND BETWEEN NORTHERN RIGHT OF WAY LINE OF E. MCCARTY STREET AND THE SOUTHERN RIGHT OF WAY LINE OF E. WALL WAY

**Bill 2009-26**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE (V) (DISABLED PARKING SPACES), OF THE CODE OF THE CITY OF JEFFERSON, BY THE ADDITION OF A DISABLED PARKING SPACE ON A PORTION OF WEST HIGH STREET.

**Bill 2009-27**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, SCHEDULE Z (RESIDENTIAL PARKING PERMIT ZONES) OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO A PORTION OF JACKSON STREET.

Councilman Jim Penfold stated that typographical errors appeared in both bill 2009-27 and 2009-29. Community Development Director Pat Sullivan stated those errors will be corrected before the Council votes on the bills.

## REGULAR COUNCIL MEETING JUNE 1, 2009

**Bill 2009-28**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE (S), (LOADING ZONES), SUBPARAGRAPH (A), OF THE CODE OF THE CITY OF JEFFERSON, BY THE REMOVAL OF A PORTION OF WEST MCCARTY STREET.

**Bill 2009-29**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE (R), (RESERVED PARKING AREAS), PARAGRAPH (A), (GENERALLY), SUBPARAGRAPH (3) (POLICE BUSINESS PARKING), OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO A PORTION OF WEST ATCHISON STREET.

\*see comments following Bill 2009-27 above. Pat Sullivan stated that "West Atchison Street" will be corrected to "West McCarty Street" in the bill title.

**Bill 2009-30**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401 (STREETS AND HIGHWAYS), SCHEDULE (N), (PARKING METER ZONES AND MONTHLY PARKING FEES), SUBPARAGRAPH (B), (ON STREET LOCATION), OF THE CODE OF THE CITY OF JEFFERSON, BY MODIFYING PORTIONS OF MCCARTY STREET.

**Bill 2009-31**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE A (SPEED LIMITS), SUBPARAGRAPH (G), (TWENTY MILES PER HOUR) OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO SPEED LIMITS ON A PORTION OF LAFAYETTE STREET.

Councilman Jim Penfold asked if staff had notified the Jefferson City High School about this speed limit change, to which staff replied they had not. Mayor John Landwehr asked staff to do so before Council votes on this bill.

**Bill 2009-32**, sponsored by Councilman Klindt, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE 2008-2009 BUDGET OF THE CITY OF JEFFERSON, MISSOURI BY APPROPRIATING ADDITIONAL FUNDS WITHIN THE GENERAL FUND.

**Bill 2009-33**, sponsored by Councilman Koon, entitled:

## REGULAR COUNCIL MEETING JUNE 1, 2009

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING CHAPTER 2 OF THE CITY CODE REGARDING PURCHASING REQUIREMENTS.

Councilman Jim Penfold asked what "Vehicle Policy Committee" would entail. Following discussion, City Counselor Nathan Nickolaus stated that the name or definition of that committee could be changed to better clarify its purpose without affecting the rest of the ordinance.

**Bill 2009-34**, sponsored by Councilman Struempf, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, APPROVING AN AMENDED PRELIMINARY AND FINAL PUD PLAN FOR PROPERTY ADDRESSED AS 1241 WEST STADIUM BOULEVARD; DESCRIBED AS PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 44 NORTH, RANGE 12 WEST, JEFFERSON CITY, COLE COUNTY, MISSOURI.

Questions were asked regarding the issue of alcohol consumption on the property in question. Mayor John Landwehr asked staff to be prepared to take up that issue when necessary at the public hearing.

**Bill 2009-35**, sponsored by Councilman Struempf, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, APPROVING A SPECIAL EXCEPTION USE PERMIT TO OPERATE A NEIGHBORHOOD CENTER/COMMUNITY ACTIVITY BUILDING LOCATED AT 1212 E. HIGH STREET, DESCRIBED AS PART OF LOT 9 OF OWEN'S SUBDIVISION OF OUTLOTS 55 AND 56, JEFFERSON CITY, COLE COUNTY, MISSOURI.

**Bill 2009-36**, sponsored by Councilman Struempf, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, CHANGING, AMENDING, AND MODIFYING THE ZONING MAP OF THE ZONING CODE OF THE CITY OF JEFFERSON, BY REZONING 2.03 ACRES FROM RS-1 LOW DENSITY RESIDENTIAL TO RA-1 HIGH DENSITY RESIDENTIAL, FOR LAND ADDRESSED AS 3143 AND 3149 ALGOA ROAD, DESCRIBED AS LOTS 14 AND 15 OF SCOTTANIA SUBDIVISION, SECTION TWO, JEFFERSON CITY, COLE COUNTY, MISSOURI, AND ENDORSING AN AMENDMENT ON THE DEVELOPMENT PLAN MAP OF THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE.

**Bill 2009-37**, sponsored by Councilman Struempf, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI PROVIDING FOR THE VOLUNTARY ANNEXATION OF REAL PROPERTY CONTIGUOUS TO THE PRESENT CITY LIMITS, INTO THE CITY OF JEFFERSON, MISSOURI, LOCATED IN THE 1500-1700 BLOCK OF LONDON WAY; DESCRIBED AS PART OF LOT 7 OF CAPITAL CITY

## REGULAR COUNCIL MEETING JUNE 1, 2009

INDUSTRIAL PARK AND PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 44 NORTH, RANGE 12 WEST, IN THE COUNTY OF COLE, STATE OF MISSOURI; AND AMENDING SECTION 1-17 OF THE CODE OF THE CITY OF JEFFERSON, MISSOURI, DEFINING THE EXISTING CITY BOUNDARY BY ADDING ONE NEW SUB-SECTION PERTAINING TO THE SAME SUBJECT.

**Bill 2009-38**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COST SHARE AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION COMMISSION AND COLE COUNTY FOR AN INTERCHANGE ON HIGHWAY 179.

Councilman Penfold stated that originally there was a need to request suspension of the rules for both Bills 2009-38 and 2009-39. However, since it is apparent that the need no longer exists, he will not request to suspend the rules at this time. Mayor John Landwehr asked City Counselor Nathan Nickolaus to keep the Council informed about any changes to the agreement before these bills are voted on.

**Bill 2009-39**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A DEVELOPMENT AGREEMENT WITH SSM AND COLE COUNTY FOR THE HIGHWAY 179 INTERCHANGE.

### BILLS PENDING

**Bill 2009-18**, sponsored by Councilman Harvey, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH THE TOM, INC. FOR THE CITY TO BE A HOST CITY FOR THE TOUR OF MISSOURI BIKE RACE EVENT.

Bill 2009-18 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14537**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, and Scrivner

Nay: None

### RESOLUTIONS

RS2009-3 Supporting Grant Application with MoDOT to Fund Overtime for DWI Enforcement (Klindt)

## REGULAR COUNCIL MEETING JUNE 1, 2009

A motion was made by Councilman Rich Koon for adoption of RS2009-3 as presented, seconded by Councilman Mike Harvey, and approved unanimously by the following roll-call vote:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, and Scrivner  
Nay: None

RS2009-4 Supporting Grant Application with MoDOT to Fund the Sober Driver Program (Klindt)

A motion was made by Councilman Kenneth Ferguson for adoption of RS2009-4 as presented, seconded by Councilman Mike Harvey, and approved unanimously by the following roll-call vote:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, and Scrivner  
Nay: None

RS2009-5 Supporting Grant Application with MoDOT to Fund Overtime for Hazardous Moving Violations Enforcement (Klindt)

A motion was made by Councilman Mike Harvey for adoption of RS2009-5 as presented, seconded by Councilman Rich Koon, and approved unanimously by the following roll-call vote:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, and Scrivner  
Nay: None

RS2009-6 Amending Agreement With Shaw Hofstra + Associates, Inc. for Millbottom Site Development (Penfold)

A motion was made by Councilman Bob Scrivner for adoption of RS2009-6 as presented, seconded by Councilman Rich Koon, and approved unanimously by the following roll-call vote:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, and Scrivner  
Nay: None

## **NEW BUSINESS**

Councilman Mike Harvey announced that, in accordance with the City Charter, bills 2009-8 and 2009-9 regarding Midwest Block and Brick will go into effect with the date of tonight's Council Meeting since the Mayor recused himself from those issues and did not feel

## **REGULAR COUNCIL MEETING JUNE 1, 2009**

comfortable signing them.

Councilman Ron Medin asked City Counselor Nathan Nickolaus the status of the Covenants and Restrictions document associated with the Midwest Block and Brick bills mentioned above, and which Duane Schreimann stated at the May 18 Council Meeting would be filed at the County. Mr. Nickolaus stated that he had been in contact with Mr. Schreimann as recently as this afternoon and that the document will be filed forthwith following the two bills going into effect.

### **PRESENTATIONS FROM THE GALLERY ON OTHER TOPICS**

There were no presentations made at this time.

### **COUNCIL AND STAFF DISCUSSION OF PRESENTATION TOPICS**

There was no discussion at this time.

### **ADJOURNMENT**

There being no further business brought before the Council, a motion for adjournment was made by Councilman Mike Harvey, seconded by Councilman Bob Scrivner, and approved unanimously at 7:10 P.M.